

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

DAN ROADHOUSE,

Plaintiff,

v.

LAS VEGAS METROPOLITAN  
POLICE DEPARTMENT, et al.,

Defendants.

2:09-CV-33 JCM (VCF)

**ORDER**

Presently before the court is the parties' joint status report regarding mediation and request to reset a hearing date on the motion for class certification and motion to certify questions to the Nevada Supreme Court. (Doc. #194).

The parties represent that their attempts to mediate this dispute have proved unfruitful and that they have no plans to continue with mediation efforts at this time. Accordingly, the court finds it appropriate to vacate the status conference currently scheduled for December 15, 2011, at 10:00am.

The parties further request to reset the hearing on the pending motions for class certification and to certify legal questions. Plaintiff would like these motions heard prior to this court's ruling on the recently filed motion to stay. However, in the interest of judicial economy, the court finds that it is more appropriate to adjudicate the motion to stay first, and then, if needed, turn to the motions to certify class and to certify legal questions to the Nevada Supreme Court. Accordingly, the court will not reset the hearing on the requested motions until after the motion to stay has been fully

1 briefed and decided.

2 Accordingly,

3 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the status conference  
4 currently set for Thursday, December 15, 2011, at 10:00am be, and the same hereby is, VACATED.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that plaintiff's request to reset  
6 the hearing on the motion to certify class and the motion to certify questions to the Nevada Supreme  
7 Court to December 15, 2011, is DENIED, consistent with the foregoing.

8 DATED December 12, 2011.

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UNITED STATES DISTRICT JUDGE  
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